

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

SHANTEZ O.D. THROWER,  
Plaintiff,  
v.  
PARKER, et al.,  
Defendants.

Case No.: 3:24-cv-00412-ART-CSD

**ORDER**

On September 23, 2024, the Court directed Plaintiff to file a complete application to proceed *in forma pauperis* or pay the \$405 filing fee by November 20, 2024. (ECF No. 3). In response, Plaintiff filed two notices indicating that he is attempting to get the necessary financial documents but that he has not been successful. (ECF Nos. 4, 5).

In light of those notices, the Court granted Plaintiff an extension until **January 6, 2025**, to file a complete application to proceed *in forma pauperis*. (ECF No. 6). The Court explained that if Plaintiff could not obtain a complete financial certificate and a prison trust fund account statement for the previous six-month period, he could instead file his application to proceed *in forma pauperis* together with a declaration detailing his efforts to obtain these documents. (*Id.*). The Court's order made clear that if Plaintiff could not submit the proper financial documents, he still had to file the first three pages of the application to proceed *in forma pauperis* on this Court's approved form.

Plaintiff filed a letter stating that he was sending the Court his financial certificate and he included a daily transaction report with the letter. (ECF Nos. 7-1, 7). The letter did not include an actual financial certificate or Plaintiff's prison trust fund account statement for the previous six-month period. Plaintiff also did not file an actual application to proceed *in forma pauperis*, which is the first three pages of this Court's approved form.

Each of the Court's previous orders clearly stated what Plaintiff needs to submit in order to have a complete application to proceed *in forma pauperis*. Plaintiff has not submitted any of the necessary documents. In light of Plaintiff's *pro se* status, the Court

1 will grant him one final opportunity to file a complete application to proceed *in forma*  
2 *pauperis*. Plaintiff must file a complete application to proceed *in forma pauperis* on or  
3 before **February 10, 2025**. If Plaintiff is confused about what he needs to submit, he  
4 should carefully read the Court's explanation of the necessary documents.

5 **I. DISCUSSION**

6 Under 28 U.S.C. § 1915(a)(2) and Nevada Local Rule LSR 1-2, an inmate seeking  
7 to commence a civil action may apply to proceed *in forma pauperis*, which allows the  
8 inmate to file the action without prepaying the full \$405 filing fee. To apply for *in forma*  
9 *pauperis* status, the inmate must submit all three of the following documents to the Court:  
10 (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, on this Court's  
11 approved form (i.e. pages 1 through 3 with the inmate's two signatures on page 3), (2) a  
12 **Financial Certificate** properly signed by both the inmate and a prison or jail official (i.e.  
13 page 4 of this Court's approved form), and (3) a copy of the **inmate's prison or jail trust**  
14 **fund account statement for the previous six-month period**.

15 If Plaintiff is having difficulty obtaining the required financial certificate and inmate  
16 account statement for the previous six-month period from prison or jail officials, then  
17 Plaintiff must file the first three pages of the application to proceed *in forma pauperis* on  
18 this Court's approved form together with a declaration detailing when he requested the  
19 financial documents, who he spoke to about the status of the documents, who he followed  
20 up with after he did not receive the documents, and their responses. Plaintiff's declaration  
21 will include dates of his requests, dates of his follow-up requests, names of the officials  
22 that he spoke to about the matter, and their responses. If Plaintiff's declaration  
23 demonstrates that he has done all that was possible to acquire the documents from prison  
24 or jail officials, the Court will consider his application to proceed *in forma pauperis* to be  
25 complete.<sup>1</sup>

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26  
27 <sup>1</sup> Plaintiff must still submit the first three pages of the application to proceed *in*  
28 *forma pauperis* on this Court's approved form with his declaration. If Plaintiff does not  
submit the first three pages of the application to proceed *in forma pauperis* with the  
declaration, the Court will recommend dismissal of this case without prejudice.

